

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

JUAN SAMUEL PEREZ §  
VS. § CIVIL ACTION NO. 9:17-CV-125  
THOMAS J. ELLIS, ET AL. §

ORDER ADOPTING THE MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Juan Samuel Perez, a prisoner confined at the Polunsky Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, filed this civil rights action pursuant to 42 U.S.C. § 1983 against Thomas J. Ellis, Stacey F. Hendrix, Michael R. Cockerham, Robert C. Tolleson, Karla R. Burleson, F. Bresino, Tresea Jefferson, and Natalie N. Leggett. The claims against defendants Hendrix, Tolleson, Burleson, Bresino, Jefferson, and Leggett were previously dismissed. Defendants Ellis and Cockerham, the only remaining defendants, moved for dismissal.

The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends granting defendants' motion to dismiss.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record and pleadings. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

O R D E R

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the report and recommendation of the Magistrate Judge (document no. 16) is **ADOPTED**. Defendants' motion to dismiss (document no. 15) is **GRANTED**. A final judgment will be entered in this case in accordance with the Magistrate Judge's recommendation.

**So Ordered and Signed**

May 30, 2018



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Ron Clark, United States District Judge